

IN RE:	:	
DANIELE F. AMATO	:	
TAMARA L. AMATO	:	Bk. No. 1:09-07163 RNO
A/K/A TAMARA L. ENDRES	:	
Debtors	:	Chapter No. 13
	:	
WELLS FARGO BANK, NA	:	
	:	
Movant	:	
	:	11 U.S.C. §362
v.	:	
	:	
DANIELE F. AMATO	:	
TAMARA L. AMATO	:	
A/K/A TAMARA L. ENDRES	:	
Respondents	:	

It is hereby stipulated by and between Phelan Hallinan & Schmieg, LLP, counsel for the Movant, **WELLS FARGO BANK, N.A.**, and **DEBORAH A. HUGHES, ESQUIRE**, counsel for the Debtors, as follows:

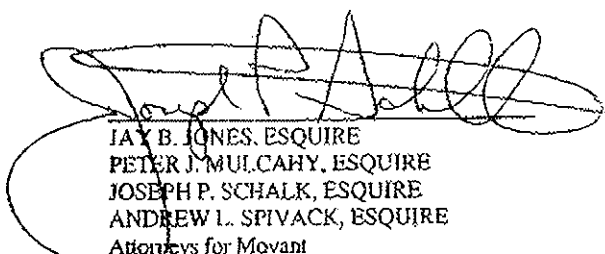
- |                        |               |                |                           |      |
|------------------------|---------------|----------------|---------------------------|------|
| Case 1:09-bk-07163-RNO | Doc 41        | Filed 02/08/10 | Entered 02/08/10 15:16:52 | Desc |
|                        | Main Document | Page 1 of 2    |                           |      |

7. In the event the Debtors convert to a Chapter 7 during the pendency of this bankruptcy case, the Debtors shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, Movant shall send Debtors and counsel a written Notice of Default of this Stipulation. If the default is not cured within ten (10) days from the date of the Notice, counsel may file a Certification of Default with the Court and the Court shall enter an Order granting relief from the Automatic Stay and waiving Rule 4001 (a)(3) so that the Relief Order is immediately effective and enforceable.

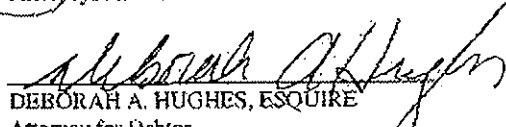
8. Debtors' tendering of a check to **WELLS FARGO HOME MORTGAGE, INC.**, which is subsequently returned due to insufficient funds in the account upon which the check is drawn, shall not constitute payment as the term is used in this Stipulation.

9. The parties agree that a facsimile signature shall be considered an original signature.

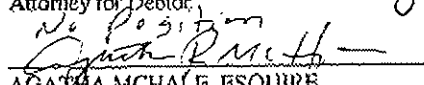
Date: January 26, 2010



JAY B. JONES, ESQUIRE  
PETER J. MULCAHY, ESQUIRE  
JOSEPH P. SCHALK, ESQUIRE  
ANDREW L. SPIVACK, ESQUIRE  
Attorneys for Movant



DEBORAH A. HUGHES, ESQUIRE  
Attorney for Debtor

*No Position*  
  
AGATHA MCHALE, ESQUIRE  
JAMES JONES, ESQUIRE  
Attorneys for Charles J. DeHart III, Chapter 13 Trustee